

AUG 02 2006

Attorney's Docket No.: 10847-018001

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Number of pages including this page 4

Applicant : Daniel P. Collins et al.  
Serial No. : 10/672,317  
Filed : September 26, 2003

Art Unit : 1644  
Examiner : David A. Saunders

Title : CELL SEPARATION COMPOSITIONS AND METHODS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attached to this facsimile communication cover sheet is a Terminal Disclaimer, faxed this 2<sup>nd</sup> day of August 2006, to the United States Patent and Trademark Office.

Respectfully submitted,



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Date: August 2, 2006

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Daniel P. Collins et al.  
Patent No. : 6,933,148  
Issue Date : August 23, 2005  
Serial No. : 10/672,317  
Filed : September 26, 2003  
Title : CELL SEPARATION COMPOSITIONS AND METHODS

Art Unit : 1644  
Examiner : David A. Saunders  
Conf. No. : 8404

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Pursuant to 37 C.F.R. § 3.73(b), BioE, Inc., a corporation of Minnesota, certifies that it is the assignee of the entire right, title, and interest in the above-referenced patent by virtue of:

☒ An assignment from the inventors of the above-referenced patent application.

The assignment was recorded in the Patent and Trademark Office at Reel 014317, Frame 0272 on February 9, 2004.

To the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Pursuant to 37 C.F.R. § 1.321(b), and to obviate a double patenting rejection in U.S. Serial No. 10/094,456, the assignee identified above hereby waives and disclaims the terminal portion of the term of the above-referenced patent subsequent to the expiration date of a patent granted upon U.S. Serial No. 10/094,456 provided that the above patent shall be enforceable only

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August 2, 2006  
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Applicant : Daniel P. Collins et al.  
Patent No. : 6,933,148  
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for and during such period that it is commonly owned with a patent granted upon U.S. Patent No. 10/094,456.

The assignee identified above does not disclaim any terminal part of the above-referenced patent prior to the expiration date of the full statutory term of a patent granted upon U.S. Serial No. 10/094,456 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. Assignee herein does not disclaim or otherwise affect any part of a patent granted upon U.S. Serial No. 10/094,456.

This disclaimer runs with the above-referenced patent and is binding upon the grantee, its successors or assigns.

Please apply \$65 for the required fee pursuant to 37 C.F.R. § 1.20(d) and any other charges or credits to Deposit Account No. 06-1050.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Applicant : Daniel P. Collins et al.  
Patent No. : 6,933,148  
Issued : August 23, 2005  
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Page : 3 of 3

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BioE, Inc.

Date:

July 18, 2006

Daniel P. Collins

Title: Executive VP/CSO

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